

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ELK VALLEY RANCHERIA, CALIFORNIA,)
Plaintiff,) Case No. 2:09-cv-00621-KJD-GWF
vs.)
ELLIS PARTNERS, INC., *et al.*,)
Defendants.)
)

This matter is before the Court on the parties' failure to file a joint pretrial order required by LR 26-1(e)(5). The Stipulated Application to Modify Discovery Plan and Scheduling Order (First Request) (#24) filed December 14, 2009, required the parties to file a joint pretrial order required by LR 26-1(e)(5) no later than May 30, 2010, or 30 days after a decision on the dispositive motions. A motion for partial summary judgment (#21) was decided on September 29, 2010, in which case the date for filing the Joint Pretrial Order was suspended until 30 days after the decision. There are no further dispositive motions pending. To date, the parties have not complied. Accordingly,

IT IS ORDERED that

1. Counsel for the parties shall file a joint pretrial order which fully complies with the requirements of LR 16-3 and LR 16-4 no later than **November 15, 2010**. Failure to timely comply will result in the imposition of sanctions up to and including a recommendation to the District Judge that the complaint be dismissed for plaintiff's failure to prosecute. See Fed. R. Civ. P. 41(b).

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2. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the pretrial order.

DATED this 3rd day of November, 2010.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge